

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12050 of 2023

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Rajendra Kumar Singh S/o Late Ram Udgar Singh R/o Village- Inarwa, P.S.-
Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Madhubani.
2. District Magistrate, Madhubani.
3. Circle Officer, Khajauli, Madhubani.
4. Nabin Kumar, S/o Teji Lal R/o Village- Inarwa, P.S.- Khajauli, District-
Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Thakur, Advocate
For the Respondent/s : Mr. Sajid Salim Khan, SC-25

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-12-2023 Heard the parties.

2. The present application has been filed for quashing the notice dated 24.05.2023 issued by the Circle Officer, Khajauli, Madhubani to the petitioner in Encroachment Case No. 07/2023 by which the petitioner was directed to respond as to why the encroachment of 3.38 decimals of land in public road bearing khata no. 146, plot no. 303 situated in village Inarwa, P.S. Khajauli, District- Madhubani be not removed.

3. The show cause notice under Section 3 of the Bihar Public Land Encroachment Act, 1956 is under challenge.

4. In the opinion of this Court, this is a premature writ and accordingly, it stands disposed of.



5. The petitioner is given liberty to approach the Circle Officer, Khajauli, Madhubani and file his reply to the show cause notice. Thereafter, the proceeding shall be concluded after hearing all the concerned parties.

6. During pendency of Encroachment Case No. 07 of 2023, the Circle Officer, Khajauli, Madhubani will not disturb the possession of the petitioner.

7. Let a copy of this order be communicated to the District Magistrate, Madhubani for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

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